

**MINUTES  
REORGANIZATION MEETING  
MUNICIPAL COUNCIL – BOROUGH OF RED BANK  
JANUARY 2, 2016 -- 12 NOON**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**PRESENT:** Mayor Menna and Council Members Burnham, Zipprich, Horgan, Schwabenbauer, Taylor and Whelan.

**ALSO PRESENT:** Borough Administrator Sickels, Borough Clerk Borghi, Chief Financial Officer Poulos and Attorney Cipriani.

**SUNSHINE STATEMENT**

Mayor Menna requested the minutes reflect that, in compliance with Public Law 1975, Chapter 231 (Open Public Meetings Act), notice of this meeting has been provided by notifying the Asbury Park Press, the Two River Times and the Star Ledger and by placing a notice on the bulletin board and filing same with the Borough Clerk on December 16, 2015.

**SWEARING IN OF ELECTED OFFICIALS**

Senator Jennifer Beck issued the Oath of Office to Councilman Taylor.

Senator Joseph Kryillos issued the Oath of Office to Councilman Whelan.

Mayor Menna asked Councilman Taylor if he would like to make a comment.

Councilman Taylor thanked everyone in the room, the residents of Red Bank and everyone who had helped and supported them along the way. He said it had been a relatively crazy journey and recounted his experience over the last year. He said it was honoring and humbling to be seated at the Council table representing the town. He said he wanted to specifically thank his parents and his fiancée Ashley. He also thanked his running mate Michael Whelan. He said he was happy and excited to be sharing the journey with him as well as the rest of the Council.

Mayor Menna asked Councilman Whelan if he would like to make a comment.

Councilman Whelan commented on his relationship with Councilman Taylor and said they had been through a lot in the past year. He thanked the residents of Red Bank for having faith in him. He said he was eager to listen, to learn and to make the best possible decisions for the Borough of Red Bank. He thanked the Mayor and his fellow Councilmembers for generally welcoming him. He said it had been a humbling experience and thanked them for embracing him. He spoke of the respect he had for individuals who had held the position before him and of their commitment. He thanked his family and friends for sharing his journey and for their support and unconditional love. He said he was happy for the opportunity to lead the town he loved and to solve the issues facing Red Bank today. He said it took faith for the voters to elect a 24 year old but said they would be rewarded with a hardworking, energetic, dedicated Council member. He said he absorbed everything and learned quickly. He said the day marked a new beginning for the town, for himself and for the people. He said he wanted to change and improve the town he loved for everyone lucky enough to call Red Bank home.

Mayor Menna asked for comments from the other members of Council.

Councilwoman Horgan wished everyone a happy New Year and thanked everyone for coming. She welcomed Councilmen Taylor and Whelan and said she was looking forward to working with them. She said she felt the Council would all be working together for the betterment of the community. She said it was a lot of work and anticipated they would have a good year.

Councilman Zipprich congratulated Councilmen Taylor and Whelan on their hard-fought campaign. He said he hoped they would work equally as hard on what needed to be done to keep

Red Bank moving forward. He also congratulated Assembly members Joann Downey and Eric Houghtaling. He said he wanted to welcome all of the Freeholders and Senator Beck and Senator Kryillos.

Councilwoman Burnham welcomed everyone and said it was a wonderful day for her because she had been the lone for so long. She said with the addition of Councilwoman Schwabenbauer the previous year and the two new Councilmen, people would see a lot of good things happening and that they would see a difference. She said the Council needs to establish priorities in moving forward and said they would be moving forward in an efficient and economic way. She said she was looking forward to a great year.

Councilwoman Schwabenbauer thanked everyone for coming. She said the only thing she would add was that she had not known either of the candidates before April. She said it had been a journey getting to know them. She said she had gotten to know them as smart, energetic and enthusiastic with great ideas. She said they were eager to get down to work. She said she was looking forward to a great year working with the entire Council and said she was convinced they were going to get great things done.

Mayor Menna welcomed all in attendance and wished them a happy and healthy new year. He said he wanted to welcome his colleagues in public life, noted several dignitaries in the audience and thanked them for their attendance.

#### **RESOLUTIONS AND APPOINTMENTS FOR 2015**

16-01 Mayor Menna read "A RESOLUTION ELECTING COUNCIL PRESIDENT FOR 2016."

Councilwoman Schwabenbauer offered a motion to approve the resolution, seconded by Councilman Zipprich.

#### **ROLL CALL:**

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the resolution was declared approved.

16-02 Mayor Menna read "A RESOLUTION AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES."

Mayor Menna noted that a question had been raised regarding the appointment of Matthew Moench as the Municipal Prosecutor. He said as review of the Request for Proposals revealed that Mr. Moench had not submitted a proposal.

Attorney Cipriani said they could handle the matter in one of two ways. She said Mr. Moench could not be on the resolution being considered because it mentioned the RFP process. She said they could appoint Mr. Moench through the Non-Fair and Open process and said that could be done today assuming it had been confirmed that no donations had been made that would bar that appointment. She said the other option was that, since there was a Conflict Prosecutor listed who had submitted, he could be appointed to proceed as Prosecutor. She said it was up to the will of Council.

Mayor Menna asked the Council members what they would like to do.

Councilman Zipprich asked for clarification that, if the appointment could not be made, the Conflict Prosecutor would step up.

Mayor Menna confirmed that that was the case and said that was why they had a Conflict Prosecutor. He said he could act until the matter was resolved.

Councilman Zipprich asked if they could do that.

Attorney Cipriani said that was a legal way the Council could proceed. She said, in that case, they would remove Mr. Moench from the resolution and the Conflict Prosecutor would remain on the resolution. She

said that was what should be done in terms of the resolution before them. She said, if there was a desire of Council to offer a second resolution, Mr. Moench could be appointed as Municipal Prosecutor under the Non-Fair and Open process.

Councilwoman Schwabenbauer made a motion to amend the resolution to deleted Matthew Moench's appointment as Municipal Prosecutor, seconded by Councilman Taylor.

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the resolution was declared approved.

Councilwoman Schwabenbauer made a motion to approve the resolution as amended, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the resolution was declared approved.

16-14 Mayor Menna read "A RESOLUTION AWARDDING A PROFESSIONAL SERVICES CONTRACT TO MATTHEW C. MOENCH, ESQ., AS MUNCIPAL PROSECUTOR PURSUANT TO NON-FAIR AND OPEN PROCESS ESTABLISHED BY N.J.S.A. 19:44A:20.4."

Councilwoman Schwabenbauer made a motion to approve the resolution, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the resolution was declared approved.

16-03 Mayor Menna read "A RESOLUTION CONFIRMING APPOINTMENTS FOR 2015."

Councilwoman Horgan noted that the Director of Information Technology should be added to the list. Mayor Menna said Joseph Fagliarone as Information Technology Director would be added to the resolution.

Councilwoman Horgan offered a motion to approve the resolution, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the resolution was declared approved.

16-04 Mayor Menna read "A RESOLUTION CONFIRMING TIME AND PLACE OF BOROUGH COUNCIL MEETINGS FOR 2016."

Councilman Zipprich offered a motion to approve the resolution, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the resolution was declared approved.

16-05 Mayor Menna read "A RESOLUTION DESIGNATING NEWSPAPERS TO RECEIVE NOTICE OF MEETINGS."

Councilman Zipprich offered a motion to approve the resolution, seconded by Councilwoman Horgan.

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the resolution was declared approved.

16-06 Mayor Menna read "A RESOLUTION AUTHORIZING 2016 TEMPORARY BUDGET."

Councilwoman Schwabenbauer offered a motion to approve the resolution, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the resolution was declared approved.

16-07 Mayor Menna read "A RESOLUTION APPROVING CASH MANAGEMENT PLAN."

Councilwoman Schwabenbauer offered a motion to approve the resolution, seconded by Councilman Whelan.

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the resolution was declared approved.

16-08 Mayor Menna read "A RESOLUTION DESIGNATING THE HUMAN RELATIONS MANAGER AS THE CERTIFYING AGENT AND THE BOROUGH TREASURER AS THE SUPERVISOR OF THE CERTIFYING AGENT IN CONNECTION WITH THE PUBLIC RETIREMENT SYSTEM."

Councilman Zipprich offered a motion to approve the resolution, seconded by Councilman Taylor.

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the resolution was declared approved.

16-09 Mayor Menna read "A RESOLUTION AUTHORIZING CREATION OF CHANGE FUNDS."

Councilwoman Horgan offered a motion to approve the resolution, seconded by Councilwoman Schwabenbauer.

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the resolution was declared approved.

16-10 Mayor Menna read "A RESOLUTION AUTHORIZING THE BOROUGH TREASURER TO OPEN AN ACCOUNT IN TD BANK N.A. AND VALLEY NATIONAL BANK AND TO SIGN ALL PAYROLL CHECKS."

Councilman Zipprich offered a motion to approve the resolution, seconded by Councilman Whelan.

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the resolution was declared approved.

16-11 Mayor Menna read "A RESOLUTION DESIGNATING DEPOSITORIES FOR THE BOROUGH OF RED BANK."

Councilman Zipprich offered a motion to approve the resolution, seconded by Councilman Taylor.

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the resolution was declared approved.

16-12 Mayor Menna read "A RESOLUTION FIXING THE RATE OF INTEREST TO BE CHARGED ON DELINQUENT TAXES, UTILITY AND OTHER MUNICIPAL ASSESSMENTS."

Councilwoman Horgan offered a motion to approve the resolution, seconded by Councilman Whelan.

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the resolution was declared approved.

16-13 Mayor Menna read "A RESOLUTION AUTHORIZING THE BOROUGH TREASURER TO OPEN AN ACCOUNT FOR MAKING PAYMENTS IN CONNECTION WITH THE REDEMPTION OF TAX TITLE LIENS."

Councilwoman Schwabenbauer offered a motion to approve the resolution, seconded by Councilman Zipprich.

ROLL CALL:

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the resolution was declared approved.

#### **REMARKS OF MAYOR MENNA**

Mayor Menna said this was the part of the meeting where they try to summarize the challenges of 2015 and the opportunities and vision for 2016. He said he owed an enormous debt of gratitude to the members of the Governing Body including those that had previously served without exception. He thanked all of the Borough employees and volunteers. He said all employees were overworked and underpaid that they did it because they wanted to serve others. He said 2015 was a year of accomplishments, a year of challenges and a year of change. He said accomplishments included a balanced budget and flat tax rate thanks to a Herculean effort by the Finance Committee. He said, going into 2016, the Borough was in better shape than they had ever been. He said they had an increasing school population and increasing school challenges which also impacted the tax rate. He said, more often than not, the Borough was asked to respond to those changes. He said they did the best they could to work with their partners in education to provide the best services for the youngest residents and their families.

He said he felt all Departments responded extraordinarily well despite a challenging budget. He said tax exempt properties had gone up again and said there had been successful multi-year tax appeals in the tax court. He said it was a complicated scenario but said it would affect the tax rate. He said they had taken on something he had been talking about for a long time which was privatization of public services, specifically solid waste pick up. He said it had been successful through the wonderful stewardship of Public Works and had resulted in substantial tax savings without loss of jobs. He said they had restored the Public Library which he said many thought would be closed in 2015. He said there was a new board and an increase in services and said it was now a model. He said the idea behind the Mayor's Ball in 2015 was to raise funds for library which it had successfully done. He said they had had an aggressive program of Public Works and could work on communicating those initiatives better. He discussed the aging infrastructure and the need to make improvements. He said the Borough also consolidated debt and saved about \$300,000 and reduced capital debt by about \$4 million. He said this Council and previous Councils had worked very hard.

He said there were also challenges that had not been solved. He said he hoped they would resolve issues regarding Locust Avenue as well as the Marine Park restoration which he said would be done this year. He said he hoped the legislators would work with the Borough on tax exempt ratio issues. He noted other towns in the district that were facing the same issue.

He said the Borough had lost some partners that they were used to working with which he said was part of life and part of the democratic process. He said there was a shrinking of diversity on some of the Boards which he said he did not think was helpful for the long range future. He said they had always prided themselves on being a proud, diverse, open and extensive society. He said they would work on it in 2016. He invited the Council to focus on the Master Plan revisions and redevelopment. He reviewed areas that he felt were critical and in need of review. He called for west and east Red Bank to be part of the same cohesive unit with the same economic and commercial opportunities.

He said he was excited to have young vision on the Council that spend time in other towns and saw how it was done. He said the age of Mayberry was long dead and said they had to look forward and be competitive. He said the commercial business district accounted for 45 percent of the Borough's tax base. He called for expanding on planning directives to develop a more urban feel where both younger and older people could move in. He said Red Bank was a community of place and destination which was inviting to the arts and to business. He said there was an extraordinary opportunity with a \$20 million development at the Count Basie which he said would be a model for all of central and northern New Jersey. He said it could also be a model for extraordinary business and housing opportunities for Red Bank. He said they should not be afraid to focus on the art and the medical community. He said the medical community was a challenge but also one of the Borough's greatest treasures. He said it was a world class university medical center that hired 600 residents and said the Borough should embrace and help them continue to be competitive. He said they also had to have candid discussions about the tax consequences under the recent court decision.

He said there was so much going on that he would be remiss if he did not suggested to the Council that one of the first initiatives they should address in January would be to approve Phase II of the garage implementation plan/redevelopment plan for White Street. He said they needed to authorize a cooperative agreement with RiverCenter to fund Phase II which would be the economic analysis, the geo-technical review of the area and also the proffering of the request for proposals for possible development in terms of joint partnerships. He said the Parking Committee would be very busy with that. He said he felt they had to explore all opportunities and noted the experience of the project engineer.

He said he felt there was a great deal going on in downtown Red Bank but said it was limited. He said they needed more activities for families and younger people. He called for more development in activities with waterfront access. He spoke of a project at a marina adjacent to the Borough that would be extraordinary for Red Bank. He said Red Bank had previously had riverboat cruises from Marine Park and it had been a success. He said there were discussions going on and that he would encourage the Council to invite RFPs for licensing part of the park for docking riverboat cruises.

He said there were continuing confidential discussions with respect to the Council's interest in maintaining and moving forward with preservation of the Fortune House without impacting local finances.

He said one of the biggest elephants in the room was the challenge between the Charter School and the Public School. He said they were an autonomous institution but were also part of Red Bank. He said it would be in the Council's best interest to not take an active part but, in the next ten days, invite resumes from individuals of Red Bank but not employees of or on the board of either institution for appointment to a blue ribbon panel. He said it would be chaired by the Council liaison to the Education and Technology Committee and to include the Superintendent of Schools and the Principal of the Charter School. He called for professionals in the field of education, professionals in the field of social sciences, economists and business people to sit down for a round table confidential discussion as a blue ribbon committee to articulate the issues between the two board to come up with a report on the issues and the consequences of those issues as well as the finance and long term impact on the housing base, educational base and economic base. He said he hoped to see the report within 30 days of the composition of the committee because he understood the Commissioner of Education would be making a decision. He said he thought it would be in the best interest of the Council to have input from people who had studied the issue and had given it reflective analysis.

He said he wanted to wish everyone a happy New Year and thanked everyone for putting in time and for working together. He said Red Bank was the jewel in the Monmouth County crown and said it was so because of the people who worked to make it such as well as those who visit.

#### **ADJOURNMENT**

Councilman Zipprich offered a motion to adjourn the meeting, seconded by Councilman Whelan.

#### **ROLL CALL:**

AYES: Burnham, Zipprich, Horgan, Schwabenbauer, Taylor, Whelan

NAYS: None

There being six ayes and no nays, the resolution was declared approved.

Respectfully submitted,

Pamela Borghi